

**U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
CALIFORNIA DESERT DISTRICT**

**ENVIRONMENTAL ASSESSMENT
EA Number: CA-670-EA-2001-49**

Date:	June 13, 2001
Project:	Seasonal Route Closures in Peninsular Bighorn Sheep Habitat January 1-June 30.
BLM Office:	El Centro Field Office 1661 S. 4 th St. El Centro, CA 92243
Location of Proposed Action:	Painted Gorge Area of the Coyote Mountains in western Imperial County, California.

Land Use Conformance and Other Regulatory Compliance:

This action conforms with the California Desert Conservation Area (CDCA) Plan, 1980, as amended. The action complies with Title 43 of the Code of Federal Regulations (CFR), Subpart 8364.1, regarding closures and restrictions.

The proposed action is intended to minimize potential disturbance to the Peninsular Bighorn Sheep (PBS), Federally listed as a threatened species. The Bureau of Land Management (BLM) will request written concurrence from the U.S. Fish and Wildlife Service (USFWS) regarding this determination as required by the Endangered Species Act (ESA). The seasonal closure was promulgated specifically to reduce potential effects on the PBS population in the proposed closure area.

Background: On March 16, 2000, the Center for Biological Diversity, and others (Center) filed for injunctive relief in U.S. District Court, Northern District of California (court) against the Bureau of Land Management (BLM) alleging that the BLM was in violation of Section 7 of the Endangered Species Act (ESA) by failing to enter into formal consultation with the U.S. Fish and Wildlife Service (FWS) on the effects of adoption of the California Desert Conservation Area Plan (CDCA Plan), as amended, upon threatened and endangered species. On August 25, 2000, the BLM acknowledged through a court stipulation that activities authorized, permitted, or allowed under CDCA Plan may adversely affect threatened and endangered species, and that the BLM is required to consult with the FWS to insure that adoption and implementation of the CDCA Plan is not likely to jeopardize the continued

existence of threatened and endangered species or to result in the destruction or adverse modification of critical habitat of listed species.

Although BLM has received biological opinions on selected activities, consultation on the overall CDCA Plan is necessary to address the cumulative effects of all the activities authorized by the CDCA Plan. Consultation on the overall Plan is complex and the completion date is uncertain. Absent consultation on the entire Plan, the impacts of individual activities, when added together with the impacts of other activities in the desert are not known. The BLM entered into negotiations with plaintiffs regarding interim actions to be taken to provide protection for endangered and threatened species pending completion of the consultation on the CDCA Plan. Agreement on these interim actions avoided litigation of plaintiffs' request for injunctive relief and the threat of an injunction prohibiting all activities authorized under the Plan. These interim agreements have allowed BLM to continue to authorize appropriate levels of activities throughout the planning area during the lengthy consultation process while providing appropriate protection to the desert tortoise and other listed species in the short term. By taking interim actions as allowed under 43 CFR Part 8364.1, BLM contributes to the conservation of endangered and threatened species in accordance with 7(a)(1) of the ESA. BLM also avoids making any irreversible or irretrievable commitment of resources which would foreclose any reasonable and prudent alternative measures which might be required as a result of the consultation on the CDCA plan in accordance with 7(d) of the ESA. On March 1, 2001, the revised stipulation respecting Peninsular Bighorn Sheep became effective.

Purpose and Need:

The purpose of the proposed action is establish a seasonal closure to motorized vehicles of two routes in the Coyote Mountains. The need for the closures is to minimize potential effects on any PBS during lambing season. The annual closures would extend from January 1 to June 30. The Coyote Mountains are within designated critical habitat for the PBS. The action is needed to minimize the effects of the use of motorized vehicles to PBS populations during lambing season.

Description of Proposed Action and Alternatives

Proposed Action:

The BLM proposes to close some routes of travel in the Coyote Mountains to motorized vehicle use from January 1 through June 30 each year. The following motorized vehicles are exempt from this order: (1) fire, military, emergency or law enforcement vehicles when used for emergency or patrol purposes; (2) vehicles whose use is expressly approved by the Authorized Officer; (3) vehicles used for official purposes by employees, agents, or designated representatives of the Federal Government or one of its contractors. Non-motorized uses (e.g., hiking, bicycling, horseback riding) of closed sections on any of the roads described above are not affected by this order. Trails developed primarily for non-motorized use would not be affected by the seasonal closure.

In compliance with Title 43 Code of Federal Regulations (CFR), Subpart 8364.1(c), BLM will close, on a seasonal basis, a section of BLM routes T670130 and T670214 located in the Coyote Mountains of Imperial County, to motorized vehicles. Closure of these roads will preclude motorized use of other BLM routes only accessible by the closed portions of BLM routes T670130 and T670214 (see attached map). The section of these routes subject to this seasonal closure, and the areas that will subsequently become closed, exist in portions of sections 21, 22, 23, 25, 26, 27, 28, 35 and 36, Township 15 South, Range 9 East; of sections 1 and 2, Township 16 South, Range 9 East; and of section 6, Township 16 South, Range 10 East, SBM. This area is encompassed by the Coyote Mountains Wilderness Area, and is only accessible by or near Painted Gorge Road (or at the southeast end of the Coyote Mountains; see attached map).

BLM routes T670130 and T670214 are accessible from Painted Gorge Road. Painted Gorge Road is a county-maintained road extending from Evan Hewes Highway to the foothills of the Coyote Mountains (approximately 4-5 miles in length). BLM routes T670130 and T670214 fork off the termination of Painted Gorge Road and continue into the Coyote Mountains, both leading to Carrizo Peak.

Implementation:

After issuing a closure order and publication of the order in the *Federal Register*, two gates will be installed by BLM at one location along each route to prohibit access by motorized vehicles. The location of these barriers are shown on the attached map and described by the following UTM coordinates:

1. Along route T670130 at UTM coordinates 595590.03 E; 3631014.84 N. These UTM coordinates correspond to a point within the NW1/4 of section 6, T. 16 S., R. 10 E., SBM.
2. Along route T670214 at UTM coordinates 594895.87 E; 3632292.29 N. These UTM coordinates correspond to a point within the NE1/4 of section 36, T. 15 S., R. 9 E., SBM.

The annual closure period will be in effect thirty (30) days following publication of the notice in the *Federal Register*, until completion of programmatic ESA consultation between the BLM and with U.S. Fish and Wildlife Service. Any applicable terms and conditions, reasonably prudent alternatives and /or reasonably prudent measures would be implemented following consultation. Final disposition of these routes will be determined under this consultation, and amended as mitigating measure(s) to the California Desert Conservation Area Plan if necessary. Signs will also be installed where the closure applies, and will describe the purpose of the closure, and the months of each year the seasonal closure is in effect. The area will be actively patrolled by BLM law enforcement rangers to ensure compliance. A brochure with a map for public distribution will be produced to describe the purpose of the closure and to show the closed area, where the barriers are installed, and months of each year the closure is in effect.

PBS were listed as “endangered” on March 18, 1998, the U.S. Fish and Wildlife Service (USFWS). The current population of Peninsular Bighorn Sheep in the Peninsular Ranges approximates 335 animals distributed in eight known ewe groups (subpopulations) from the San Jacinto Mountains south to the Mexican border. In the *Draft Recovery Plan for the Bighorn Sheep in the Peninsular Ranges* (USFWS 1999), several studies are identified that link vehicle use with modification of bighorn sheep behavior (Jorgensen, 1974; Leslie and Douglas, 1980; Campbell and Remington, 1981; Miller and Smith, 1985).

No-Action Alternative

Seasonal route closures would not be implemented. Year-round motorized vehicle access on BLM routes T670130 and T670214 would continue to be allowed.

ALTERNATIVES CONSIDERED BUT NOT EXAMINED FURTHER

Alternative Barrier Location.

An alternative gate location was examined along BLM route T670214. This location is described by the following UTM coordinates (obtained by GPS): 596139.58 E; 3631482.44 N. These coordinates correspond to a point within the SE1/4 of section 31, T. 15 S., R. 10 E., SBM, southeast of the “proposed” barrier location on this route. The installation of a barrier at these coordinates would close approximately one additional mile of this route to motorized vehicles; however, this alternative was dismissed because off-road vehicles could circumvent a barrier at this location easily either by climbing low-lying topography near the barrier, or by a large wash draining northeast from the mountains (and behind this alternative barrier location; see attached map).

THE AFFECTED ENVIRONMENT

The area affected by this proposed action is desert wash system and rugged mountainous area of the Coyote Mountains. The washes are rocky and well-incised forming steep walled canyons within mostly volcanic and metamorphic rocks. The Coyote Mountains were uplifted and tilted northward along the Elsinore Fault.

Air Quality: The quality of ambient air at the southeast end of the Coyote Mountains is generally good. There are several active sand and gravel operations at the base of the Coyote Mountains near Fossil Canyon, and one (intermittently used) county sand and gravel operation at Painted Gorge. These operations are required to use dust abatement techniques such as watering access routes during use of the pits, and are monitored by the Air Pollution Control District of Imperial County (for compliance with

Federal, State and local air quality standards). The area affected by this closure is rugged mountain area composed mostly of metamorphic and volcanic rock, incised by steep-walled drainage. The access routes are through rocky washes and mountains. Dust emissions by off-road vehicle use is usually temporary and of small quantity in an area like this.

Soils and Watershed: Soils in much of the area are thin and sandy; some areas soils are non-existent. Areas of decomposed granite are common on flats and at the bases of mountains. Runoff rates during heavy rains are high. Sedimentation rates are unknown.

Vegetation: Vegetation in the area consists of creosote bush scrub on the flats and mixed woody succulent scrub occurring in canyons, washes and slopes. One population of the rare plant rock nettle (*Euchnide rupestris*) is known to occur in the area just beyond the proposed Painted Gorge Gate. This plant is found in only a few isolated, rocky canyons in the U.S. It is more common in Mexico.

Noxious and Invasive Species (Weeds): The Coyote Mountains are relatively weed-free due to low rainfall, thin soils and the ruggedness of the terrain. The annuals Sahara mustard (*Brassica tounefortii*) and Mediterranean grass (*Schismus* ssp.) may occur during high rainfall years. Tamarisk (*Tamarix ramosissima*) is also known to occur in the area.

Wildlife: These areas consist of dry wash woodland with coarse sandy soil consisting of decomposed granite. Wildlife resources in the area consist of the Peninsular Bighorn Sheep (*Ovis canadensis cremnobates*), Desert Iguana (*Dipsosaurus dorsalis*), Western Diamondback Rattlesnake (*Crotalus atrox*), Round tailed Ground Squirrel (*Spermophilus tereticaudus*), Coyote (*Canus latrans*), Kit Fox (*Vulpes macrotis*), Mule Deer (*Odocoileus hemionus*), and Bobcat (*Felis rufus*).

Wilderness: The proposed route closure and barrier construction areas are directly adjacent to the Coyote Mountains Wilderness Area.

Visual Resource Management: The overall landscape is composed of desert washes with steep rock walls, with a series of complex rugged ridge lines in the background. Vegetation is randomly spaced and sparse. The overall texture is medium to coarse. The desert colors are muted shades ranging from desert brown to juniper green (Munsell Soil Color Charts). The proposed project falls in the VRM Class II. The objectives for this class is to “retain the character of the landscape, and that the level of change to the characteristic landscape should be low”. Any degree of contrast that is moderate or higher would not meet the objective.”

Cultural Resources: The BLM land within and outside the closure has less than 1% baseline survey. Even with this small amount of data, it is clear that there are many archaeological properties in the area. Consultation has not been conducted with Native American Tribes.

Recreation Management and Motor Vehicle Access: The California desert is a regional recreation

resource attracting not only local residents, but visitors from an area encompassing all of southern California and to a lesser degree other regions of the United States, Canada and Mexico. Most visitors come from the southwest and specifically San Diego and Los Angeles Metropolitan area. The Painted Gorge Area of the Coyote Mountains is a popular primitive recreational area within the El Centro Resource Area adjacent to the Plaster City Open Area and the Coyote Mountains Wilderness. Historically, the area has been a popular location for numerous outdoor recreational pursuits. Routes in the Painted Gorge area of the Coyote Mountains have moderate use by off-road vehicles during fall, winter and spring months. Recreational activities in the Painted Gorge area include camping, motorcycle and all-terrain vehicle (ATV) travel, target practice, site-seeing and fossil collecting.

To engage in most desert recreational activities outside of wilderness areas, visitors must use motorized vehicles and will usually travel on some previously used or marked motorized vehicle route. Vehicle access is among the most important recreation issues in the desert. Therefore, a primary consideration of the recreation program is to ensure that access routes necessary for recreation enjoyment are provided. The existing roads and trails in the Coyote Mountains also provide a wide array of recreational opportunities for people who use motorcycles, ATV's, and 4-Wheel vehicles. Off-highway vehicle (OHV) trail riding, touring and play riding are the dominant recreational activities in the area. The rocky washes, small mud and sandstone hills, and network of trails through steep canyons and rugged mountainous terrain of the Coyote Mountains provides the OHV user with a variety of terrain that is challenging, has the feeling of remoteness, good scenic quality, and opportunities for exploration. OHV's (motorcycles, all terrain vehicles, dune buggies and, 4-wheel drive jeeps, pick-up truck and SUVs's) are also used as a means of engaging in other activities which include photography, nature study, rockhounding, camping, hiking, hunting, shooting, birdwatching as well as just "poking around" and soaking up the desert atmosphere. The Painted Gorge road also provides motorized vehicle access and a staging area for camping, nature study, sightseeing, rockhounding and opportunities for exploration in and around the Coyote Mountains. Visitor use occurs primarily from October to May. The visitation is very low during the summer months because the desert's high temperatures exceed 100 degrees every day.

Minerals Management: Six operating sand and gravel pits exist within a five-mile radius of the proposed route closures, including pits operated by Val Rock Incorporated, Granite Construction (three pits), Cal-Grade Company, and a sand and gravel pit operated by the County of Imperial. These six pits are outside the proposed closure area and would not be affected by the proposed action.

The Creole Corporation, a Texas mining company, has mineral interests in the area which may be affected by the route closures. Creole owns approximately 1240 acres of patented mining claims as well as additional unpatented mining claims on public lands located within the proposed closure area. Although Creole has conducted exploration work on the claims, no mining has occurred. Creole does not have any valid BLM-approved plan of operations or any BLM-issued right-of-way for access to its mineral interests across public lands.

ENVIRONMENTAL CONSEQUENCES

Critical Element		Alternative 1		Alternative 2		
		Affected		Affected		
		Yes	No	Yes	No	Initial
Air Quality		X		X		
ACEC’s			X		X	
Cultural Resources		X		X		
Environmental Justice			X		X	
Farmlands, Prime/Unique			X		X	
Floodplains			X		X	
Invasive/Non-native species		X		X		
Native American Religious Concerns			X		X	
T&E Species	Wildlife	X		X		
	Plants		X		X	
Visual Resources		X			X	
Waste, hazardous or solid			X		X	
Water Quality			X		X	
Wetlands/Riparian Zones			X		X	
Wild & Scenic Rivers			X		X	
Wilderness		X		X		

The proposed action is expected to benefit the environmental elements being discussed.

Alternative 1. Proposed Action: Closure of Routes to Motorized Vehicle Use

Air Quality: Dust and hydrocarbon emissions would decrease in the closure area. This improvement would be slight, and would result from in-accessability of the area described above by motorized vehicles for approximately 6 months of each year. Less dust and hydrocarbon would become airborne in the closed area due to no vehicle travel.

Soils and Watershed: The closure may benefit soils by preventing further impacts from vehicle traffic, such as compaction and erosion, by reducing the total annual vehicle use of the area.

Vegetation: The proposed route closure would be beneficial to rock nettle. The closure will prevent vehicles from driving through the only known population in the Coyote Mountains.

Noxious and Invasive Species (Weeds): The closure may help prevent the spread of weed seed by vehicles traveling to this area from infested areas. Ground disturbance will be reduced which may also help prevent the establishment of weeds.

Wildlife: The proposed route closure and barrier construction would be a benefit to Threatened Peninsular Bighorn Sheep and other wildlife resources. Disturbances from vehicles would be reduced during lambing season which would increase the probability of lamb survival. Installing the barriers would most likely temporarily displace wildlife from the immediate area but the impacts would be minor.

Wilderness: The proposed action would have a positive indirect effect on the Coyote Mountains Wilderness Area by blocking motorized access to several routes that are still being used to illegally trespass into the wilderness. Blocking the motorized access to these routes will benefit the wilderness characteristics of naturalness and opportunities for solitude or primitive recreation.

Visual Resource Management: The proposed project will meet the existing visual resource management guidelines (VRM Class II). The gates would not be visible until you are within 100 yards of them due to the screening properties of the deep and winding washes where they are located. The length of time the project would be in view is not significant because of the relative size and scale of the project in regards to the surrounding landscape.

The construction phase would have temporary visible impacts to visual quality but such impacts would be minor.

Cultural Resources: A field check was done and showed that the proposed gate locations are in deep gravel washes with no archaeological deposits. The area has such high energy runoff that any cultural resources evidence would be washed away by storm water.

Recreation Management and Vehicle Access: There is a close relationship between the pursuit of recreational activities and motorized vehicle use in the Painted Gorge, whether the latter is a primary constituent of the activity (e.g., driving for pleasure) or a means of access only (e.g., transportation to a wilderness trail head). It is difficult, if not impossible in many circumstances, to engage in recreational activities in this area without employing a motorized vehicle in some fashion. Therefore, closure actions would substantially reduce recreational and OHV opportunities because the closure would be in place during the period when most recreational use occurs.

Minerals Management: Access by motorized vehicles to patented and unpatented mining claims would be restricted during the months of the seasonal closure. Any claim assessment work could only be done during the months the closure is not in effect (i.e., August 1 to December 30), or without use of motorized vehicles during the closure months each year. The only patented and unpatented mining

claims affected by this seasonal closure are held by Creole Corporation.

No active mining operations exist within the closure area.

Alternative 2: No Route Closure to Motorized Vehicle Use:

Air Quality: Dust, noise and hydrocarbon emissions from vehicles would remain at present levels in the project area. Amounts and composition would relate to the number of off-road vehicles used in the area.

Soils and Watershed: Some increased sedimentation would occur during the infrequent rainfall events in the Coyote Mountains. Because of the desert climate, shallow or non-existent soils, runoff is swift, with little capacity to retain moisture.

Vegetation: Adverse impacts to plants, including rock nettle, that are presently occurring from motorized vehicle travel would continue.

Noxious and Invasive Species (Weeds): The potential for vehicles to spread weed seed would continue. Native vegetation may continue to be destroyed and soil disturbance may still continue to occur creating a suitable environment for the establishment of weeds.

Wildlife: Wildlife resources, especially federally threatened Peninsular Bighorn Sheep, could suffer impacts by disturbance which could result in increased lamb mortality. Other wildlife resources would continue to suffer disturbance from OHV use.

Wilderness: Several routes used to illegally access the wilderness would potentially continue to be used under this alternative.

Visual Resource Management: No impacts would occur

Cultural Resources: Vehicle impacts to cultural resources in the area would continue; however, BLM has insufficient information to determine the extent of such impacts.

Recreation Management and Vehicle Access: This alternative would allow traditional access to Painted Gorge and the Coyote Mountains in the winter months, the season of most use. The full normal 9-month period of use would be allowed for vehicle travel in the Coyote Mountains.

Minerals Management: Access by motorized vehicles to mineral claims would continued at current levels.

MITIGATION MEASURES

There would be no mitigation measures available to lessen the impacts of the proposed Seasonal Route Closures.

CUMULATIVE IMPACTS:

Air Quality: Dust and hydrocarbon emissions would slightly decrease in the immediate closure area. However, dust and hydrocarbon impacts from nearby mining operations and the landfill, and hydrocarbon emissions from motorists in Ocotillo and I-8 would continue and constitute the major source of emissions in the area.

Soils and Watersheds: The proposed seasonal closure of vehicular entry through Painted Gorge into the Coyote Mountains would reduce any affects of vehicular travel to the existing route system. Because Painted Gorge is a popular scenic area, often visited by both local residents and tourists in the winter months, the proposed closure would have maximum seasonal effect on any contributions of vehicle travel to accelerated rates of erosion.

Vegetation Management: Cumulative affects would be beneficial to all native plants due to the reduction in vehicle traffic and soil disruption. Reducing vehicle traffic would have a positive cumulative affect in reducing the spread and establishment of weeds.

Wildlife Management: Cumulative impacts would be positive in a reduction of disturbance to Peninsular Bighorn Sheep during lambing season.

The purpose of the closure is to minimize potential disturbance to any Peninsular Bighorn Sheep that might be present in the Coyote Mountains during the potential lambing season. This action conforms to the agreement signed by the BLM to implement management actions required under the Recovery Plan. Effects of the closure would thus be presumed to favorable to the sheep population.

Wilderness Management: Cumulative impacts would be positive.

Visual Resource Management: The incremental impact of the action is considered to be very minor, and would not detract cumulatively from views of the landscape as a whole.

Cultural Resources: Cumulative impacts are unknown because of lack of baseline data to make assessments but are expected to be positive.

Recreation Management and Vehicle Access: Increased restrictions on motorized vehicle access in the California Desert will cumulatively affect opportunities for motorized recreation in an adverse manner. The number of routes on which one may operate an OHV would decrease under the proposed action. Also, the opportunities for vehicle camping would decrease. Such restrictions are consistent with an apparent trend over the last several decades to limit motorized recreation in a way that would minimize the potential for damage to natural and cultural resource values.

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Reviewed by: _____
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Approved by: _____
Field Manager

Date: _____

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
CALIFORNIA DESERT DISTRICT

DRAFT

FINDING OF NO SIGNIFICANT IMPACT/DECISION RECORD.

Environmental Assessment
CA-670-2001-49

**Seasonal Route Closure in Peninsular Bighorn Sheep Habitat
Painted Gorge Area of the Coyote Mountains in Western Imperial County**

Environmental impacts associated with the proposed action and alternatives have been assessed. Based upon the analysis provided in the attached EA, I conclude the approved action is not a major federal action and will result in no significant impacts to the environment under the criteria in Title 40 Code of Federal Regulations 1508.18 and 1508.27. The proposed action is not expected to result in significant impacts to the quality of the human environment. Therefore, the preparation of an environmental impact statement is not required pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969.

APPROVED BY:

El Centro
Field Manager

Date